



File Number: \_\_\_\_\_

**Talbot County Department of Planning and Zoning**  
215 Bay Street, Suite 2  
Easton, Maryland 21601  
410-770-8030

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### Waiver Request Application

Applicant(s) Name: \_\_\_\_\_ Email: \_\_\_\_\_

Location of Property: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Cell Number: \_\_\_\_\_ Fax: \_\_\_\_\_

Tax Map: \_\_\_\_\_ Grid: \_\_\_\_\_ Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Zone: \_\_\_\_\_

Type of project: \_\_\_\_\_

Detailed description of waiver request: \_\_\_\_\_

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### Waiver Request

**A. Purpose:**

The waiver process allows applicants to request relief from strict compliance with certain provisions of the *Talbot County Code*, Chapter 190. The process provides flexibility to address constraints unique to a particular site by allowing approving authorities to waive certain requirements while approving alternative solutions that accomplish the purpose of Chapter 190.

**B. Applicability:**

A waiver may be granted only to provisions of the *Talbot County Code*, Chapter 190 for which the requirements specifically state that the provision is subject to a waiver application.

**C. Procedures:**

- (1) Waiver request applications shall be submitted in accordance with *Talbot County Code*, Chapter 190 and accompanied by the required fee. Checks shall be made payable to Talbot County, Maryland.
- (2) A waiver request application shall be submitted at the same time as or during review of the application requiring the waiver. A waiver application may be submitted in conjunction with an application for approval of a site plan, subdivision plat, certificate of use, or short-term rental license.
- (3) For applications that require Technical Advisory Committee (TAC) review, any necessary waiver application must accompany the plan on the TAC agenda.
- (4) The Planning Commission shall make decisions on all waiver applications for major site plans, major subdivision plats and major revision plats unless otherwise defined in the *Talbot County Code*.
- (5) The Planning Director shall make decisions on waiver applications for minor site plans, minor subdivision plats, minor revision plats, certificates of use, and short-term rental license unless otherwise defined in the Code. The Planning Director may request a recommendation from the Planning Commission on any waiver application.

The approving authority shall evaluate waiver applications based upon the following criteria  
(Fully answer each question. If additional space is needed, attach a separate sheet and refer to  
such where appropriate on the form. An incomplete waiver application form will be returned for  
completion.)

- A.

The waiver shall not have the effect of nullifying the intent and purposes of Chapter 190 of *Talbot County Code*:  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- B.

Granting the waiver will not be detrimental to the public health, safety or welfare, or injurious to other property: \_\_\_\_\_  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- C.

The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property: \_\_\_\_\_  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- D.

Because of the particular physical surroundings, shape or natural features of the specific property involved, one of the following findings is made:  
  
a. A particular hardship to the applicant would result, as distinguished from a mere convenience, if the strict letter of these regulations is carried out, or,  
  
b. The purpose of Chapter 190 of the *Talbot County Code* are better accomplished by the alternative proposal made in the waiver application:  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- E.

The waiver complies with any criteria required by the specific section of Chapter 190 of the *Talbot County Code* from which a waiver is requested: \_\_\_\_\_  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- F.

**For Lot Size Waiver Request Only:** Zone:\_\_\_\_\_ State how the waiver will result in a better design for the particular revision or is necessary due to physical constraints of the tract of land: \_\_\_\_\_  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Applicant's/Agent Signature

\_\_\_\_\_  
Date

<b><u>Office Use Only:</u></b>	
Approving Authority: _____	Date _____
Approved: _____	Disapproved: _____
Conditions: _____	